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*PATENT* *10*  
*LB*  
*6/22/04***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Michael P. Spratt, et al.	)	Examiner: Nguyen, Huy D.	Art Unit: 2681
	)		
Patent Appl: 10/057,741	)	Our Ref: B-4469 619470-0	
	)		
Filed: January 23, 2002	)	Date: June 9, 2004	
	)		
For: "LOCATION DATA VALIDATION BY STATIC ENTITIES ..."	)	Re: <i>Response to Restriction Requirement</i>	
	)		

**RESPONSE TO RESTRICTION REQUIREMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

Sir:

This paper is filed in response to the Office Action, dated May 24, 2004.

In response to the Office Action mailed on May 24, 2004, the Applicant provisionally elects Invention I, that is, Claims 1-15, for further examination in this Application. The Applicant further provisionally elects Species A, Claims 1-3 and 5 - 15, for further examination by the Examiner. The Applicant submits that this election of Invention I, Species A, and the identification of Claims 1 - 3 and 5 - 15 as readable on the elected invention and species are consonant with the restriction requirement made by the Examiner. The Applicant further concurs with the Examiner's finding that Claims 1 and 14 are generic and submits that these generic claims are readable on the elected invention and species.

However, the Applicant notes that the only claim in Species B, i. e., Claim 4, depends on generic Claim 1. Therefore, if Claim 1 is found to be allowable, Claim 4 should also be allowable based upon its dependence on Claim 1.

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Response to Restriction Requirement

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While the Applicants concur with the Examiner's finding that Inventions I and II and that Species A and Species B are patentably distinct, the Applicants note that 35 U.S.C. § 121 authorizes, but does not require, the USPTO to restrict an application to one invention if two or more independent and distinct inventions are claimed in one application. In view of the expense that would be imposed upon the Applicants by multiple patent applications and multiple patents, the Applicants submit that restriction requirements should be issued only when absolutely necessary.

Therefore, for the reasons set forth above, reconsideration of the restriction requirement is respectfully requested and the Examiner is respectfully requested to withdraw the restriction requirement.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

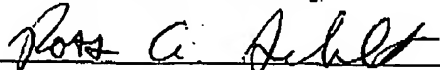
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June 9, 2004

(Date of Transmission)

Ross A. Schmitt

(Name of Person Transmitting)

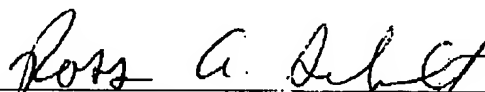


(Signature)

6. 9. 2004

(Date)

Respectfully submitted,



Ross A. Schmitt

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**DELIVER TO:** Examiner Huy D. Nguyen Art Unit 2681  
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**DATE:** June 9, 2004  
**TOTAL NO. OF PAGES (INCLUDING THIS PAGE):** 3  
**SUBJECT :** Response to Restriction Requirement  
U.S. Application No. 10/057,741  
Michael P. Spratt  
"LOCATION DATA VALIDATION BY STATIC ..."  
Our Ref: B-4469 619470-0

**REMARKS:**

Examiner Nguyen:

Enclosed is a response to the Office Action mailed on May 24, 2004 consisting of:  
Response to Restriction Requirement - 2 pages

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